

All communications respecting this case should identify it by number and names of parties.



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**PAT. & T.M. OFFICE
BOARD OF PATENT APPEALS
AND INTERFERENCES**

Applicants: Ronald M. Evans et al.
Serial No.: 08/244,857
Filed: 12/18/92
For: Means For The Modulation of
Processes Mediated By Retinoid
Receptors and Compounds Useful Therefor
Accorded benefit of: U.S. Application
07/809,980, filed 12/18/91

The case referred to above has been forwarded to the Board of Patent Appeals and Interferences because it is adjudged to interfere with other cases hereafter specified. Attention is directed to the fact that this interference is declared pursuant to 37 CFR 1.601 et seq., as amended. See Notice of Final Rule, 60 Fed. Reg. 14488 (March 17, 1995), corrections printed in 60 Fed. Reg. 16920 (April 3, 1995). See also 1173 O.G. 384 (April 18, 1995). The interference is designated as No. 103,842.

By direction of the Commissioner of Patents and Trademarks and as required by 35 USC 135(c), notice is hereby given the parties of the requirement of the law for filing in the Patent and Trademark Office a copy of any agreement "in connection with or in contemplation of the termination of the interference."

Application 08/244,857

The parties involved in this interference are:

Junior Party

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Application: 08/201,493, filed 02/24/94, now U.S.
 Patent No. 5,428,071 issued 06/27/95

Title: PREVENTION AND TREATMENT OF PREMALIGNANT
 EPITHELIAL LESIONS AND MALIGNANT TUMORS
 OF EPITHELIAL ORIGIN

Assignee: None

Attorneys: George M. Gould
 Bernard S. Leon
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Associate: None

Accorded benefit: U.S. Application 07/823,741, filed
 01/22/92 (ABN)

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Application 08/244,857

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Application: 08/244,857, filed 12/18/92

Title: MEANS FOR THE MODULATION OF PROCESSES
MEDIATED BY RETINOID RECEPTORS AND
COMPOUNDS USEFUL THEREFOR

Assignee: None

Attorneys: Stephen E. Reiter Laurence H. Pretty
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Accorded benefit: U.S. Application 07/809,980, filed 12/18/91

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COUNT 1

A method for treating patients having premalignant or precancerous epithelial lesions to retard the progression of these lesions into carcinomas comprising administering to said patient a composition containing a compound selected from the group consisting of 9-cis-retinoic acid, its pharmaceutically acceptable salts, and its pharmaceutically acceptable hydrolyzable esters said compound being administered in an amount effective to treat said lesions.

The claims of the parties which correspond to the count are:

Bollag et al.: Claims 1-6

Evans et al. : Claim 51


COUNT 2

A method for treating tumors of epithelial origin in patients to retard the development of these tumors comprising administering to said patient a composition containing a compound selected from the group consisting of 9-cis-retinoic acid, its pharmaceutically acceptable salts, and its pharmaceutically acceptable hydrolyzable esters, said compound being administered in an amount effective to retard the development of said tumors.

The claims of the parties which correspond to the count are:

Bollag et al: Claims 7-13

Evans et al : Claims 36, 38-40, 52



RONALD H. SMITH
Administrative Patent Judge
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RHS:ls